



CONTRA COSTA COUNTY OFFICE OF THE SHERIFF
DAVID O. LIVINGSTON
SHERIFF - CORONER

VIA EMAIL

June 28, 2019

Mr. Samuel Sinyangwe
MuckRock News
74702-30580489@requests.muckrock.com

Re: Your Public Records Act Request

Dear Mr. Sinyangwe:

I am responding to your email received on June 5, 2019, in which you made requests pursuant to the California Public Records Act (Gov't. Code § 6250 *et seq.*). We have copied your requests below in *italics* and have responded to each item directly below the corresponding request. Specifically, you requested:

1. *The total number of sheriff's deputy use of force incidents, broken down by type of force used, between 2013-2018 (separated by year).*

The following data is responsive to your request. Please note that our office began compiling this data in late-2015 and we do not have responsive records for the earlier years in your request, except for data regarding K9 and firearm use of force incidents. We define "Force" as, "Any physical effort, use or discharge of a weapon used to control, restrain, or overcome the resistance of another." The "Use of Force" tracking log includes the use of control hold techniques and similar techniques to gain control of a subject, even where no harm occurs to either party.

2013	
Firearm	1
K9	10

2014	
Firearm	0
K9	10

2015	
Electronic Weapon	1
Firearm	2
K9	21
Physical Force	13

2016	
Chemical Agent	5
Electronic Weapon	52
Firearm	1
Impact Weapon	4
K9	21
Physical Force	310

2017	
Chemical Agent	10
Electronic Weapon	43
Firearm	1
Impact Weapon	7
K9	10
Physical Force	218

2018	
Chemical Agent	16
Closed Fist Strike	20
Electronic Weapon	35
Firearm	2
Impact Weapon	7
K9	8
Physical Force	272

2. *The total number of people that deputies used force against between 2013-2018 (separated by year).*

Our office has no responsive records. In order to respond to this request, our office would need to review each and every report in the attached “Use of Force” tracking log to determine whether force had been used

against more than one individual. Our office cannot fulfill this request as the required extent of review and analysis would constitute an “undue burden” pursuant to the California Public Records Act (Gov’t. Code § 6255).

3. *The total number of use of force complaints reported between 2013-2018 (separated by year).*

Our office extracted the following data regarding Internal Affairs investigations from citizen complaints of use of force:

2013: 5
2014: 8
2015: 4
2016: 4
2017: 4
2018: 3

4. *The total number of use of force complaints sustained between 2013-2018 (separated by year).*

Our office extracted the following data in response to your request:

2013: 2
2014: 0
2015: 1
2016: 0
2017: 0
2018: 1

5. *The policy manual of the sheriff's department.*

Our office must advise you that we do not maintain a version of our complete Policy and Procedures Manual that has been reviewed and redacted as appropriate and necessary for public release. Our current Policy and Procedures Manual is in excess of 1,000 pages, making the task of review and redaction beyond the reasonableness obligation of the Act, as doing so would impose an undue burden on this Agency (Gov’t. Code § 6255).

If you will indicate a specific policy of which you would like a copy, we can provide you with the policy you seek.

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6. *The current union contract between the city and any sheriff's deputy/police office unions.*

As we understand this request, you are seeking the current Memorandum (or Memoranda) of Understanding between Contra Costa County and the Deputy Sheriffs' Association. You may access all County MOU's on the County's website:

<http://ca-contracostacounty2.civicplus.com/1341/Memoranda-of-Understanding>

This fulfills your Public Records Act request.

Sincerely,

DAVID O. LIVINGSTON, Sheriff – Coroner



Carlye M. Slover, Sheriff's Specialist
Professional Standards Division